

METROPOLITAN PLAN COMMISSION
DOCKET NO. 68-AO-3

ORDINANCE 68-AO-3
SPECIAL USE, FORESTRY AND AGRICULTURAL ZONING DISTRICTS
SIGN REGULATIONS
OF
MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT

1968

Officially adopted,
July 2, 1968

METROPOLITAN PLAN COMMISSION

DOCKET NO. 68-A0-3

O R D I N A N C E

BE IT ORDAINED by the Marion County Council of Marion County, Indiana that Marion County Council Ordinance No. 8-1957, the Marion County Master Plan Permanent Zoning Ordinance, as amended, and the Special Use Districts Zoning Ordinance of Marion County, Indiana, 66-A0-3 (said Marion County Master Plan Permanent Zoning Ordinance being one of the zoning ordinances adopted as a part of said Ordinance No. 8-1957 by the Marion County Council on March 28, 1957, and said Special Use Districts Zoning Ordinance having been adopted as an amendment to said Ordinance No. 8-1957 by the Marion County Council on July 6, 1966, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended), be amended as follows:

That Chapters IV, V, and XXI of said Marion County Master Plan Permanent Zoning Ordinance and Chapter II of said Special Use Districts Zoning Ordinance be amended by the addition of the following provisions and the repeal of all provisions in conflict herewith:

I. SPECIAL USE, FORESTRY AND AGRICULTURAL ZONING DISTRICTS SIGN REGULATIONS

A. PERMITTED SIGNS

The following signs as defined in section C. shall be permitted in all Special Use, Forestry and Agricultural Districts, subject to the development standards and requirements of section B.:

1. ADVERTISING SIGNS permitted only on a lot having a minimum frontage of 500 feet (with no dwelling unit other than the principal homestead located within 1000 feet of the sign structure, as provided in section B.2.).
2. BUSINESS SIGNS permitted only on a lot having a minimum frontage of 500 feet (with no dwelling unit other than the principal homestead located within 1000 feet of the sign structure, as provided in section B.3.).

3. INCIDENTAL SIGNS

B. DEVELOPMENT STANDARDS

The following development standards shall apply to all signs and sign structures in the Special Use, Forestry and Agricultural Districts:

1. GENERAL REGULATIONS
 - a. No sign or sign structure attached to the wall of a building shall extend above the roof or parapet line of such building.
 - b. Roof top signs or sign structures shall not be permitted.
 - c. Signs may be illuminated.
 - d. Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface thereof and shall not:
 - (1) be greater than three (3) feet in vertical measurement above the marquee;
 - (2) extend vertically below the marquee or canopy limits;
 - (3) extend horizontally more than eighteen (18) inches beyond the marquee or canopy limits.
 - e. Signs located on an awning shall be affixed flat to the surface thereof, shall not extend vertically or horizontally beyond the limits of the awning, shall not be illuminated, and may indicate only the name and/or address of the use.
 - f. No sign structure, except a projecting sign structure, attached to the wall of a building shall extend more than eighteen (18) inches horizontally from such wall.
 - g. All signs permitted may be projecting signs. Provided, however, not more than one projecting sign structure shall be allowed for each lot and the total surface area of such sign shall not exceed two hundred forty (240) square feet per side. (Only one side of a projecting sign shall be considered in computing total allowable sign surface area.) No sign structure shall project closer than eighteen (18) inches to an imaginary perpendicular vertical plane at the street pavement line and in no case shall the sign structure extend more than eight (8) feet from or beyond its supporting building, structure, or column. No projecting sign or sign structure (except for the supporting building, structure or column) shall be, at its lowest point, less than nine (9) feet above grade level.

- h. No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof.
- i. No sign or sign structure other than official highway markers shall be placed upon any street or highway right-of-way.
- j. No advertising or business sign, sign structure, or device shall be affixed to, displayed or located upon any utility pole, light standard, telephone booth, public transportation or school bus passenger shelter or bench, or similar structure, equipment or appurtenance located upon any public right-of-way, utility easement, or other public or private property.
- k. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display.
- l. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection; or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing.
- m. One temporary sign, not exceeding thirty-two (32) square feet in surface area, shall be permitted for each lot frontage to announce construction, remodeling, rebuilding, sale, lease or rental. Such sign shall be removed when construction, lease, sale or other indicated purpose is completed.
- n. Signs or sign structures shall be set back in accordance with the minimum yard requirements and building setback lines required by the Zoning District. Provided, however, those advertising or business signs so located that no dwelling unit (other than the principal home-stead) is within one thousand (1000) feet of the sign structure may be set back twenty-five (25) feet or more from the right-of-way line. Provided further, however, incidental signs shall be set back a minimum of fifteen (15) feet from the street right-of-way line, or if the building setback line established for the lot is less than fifteen (15) feet, in accordance with such established setback line. In case the supporting building, structure, or column for a projecting sign is located closer than eight (8) feet to the building setback line, the projecting sign may extend in front of said setback line, but not more than eight (8) feet beyond its supporting building, structure or column.

o. If a street elevation to which the sign is oriented is more than ten (10) feet greater than the grade elevation at the base of the sign structure, the street elevation may be used in determining the permitted height; however, in no case shall height above grade elevation at the base of the sign structure exceed eighty (80) feet. This provision shall apply to all sign structures erected upon the ground.

p. Maintenance and Removal.

- (1) All signs and sign structures shall be kept in repair and in proper state of preservation;
- (2) Signs which are no longer functional or are abandoned shall be removed or relocated in compliance with the provisions of this ordinance, within thirty (30) days following such disfunction;
- (3) Any legally established nonconforming sign shall be permitted without alteration in size or location. If such sign is damaged exceeding two-thirds (2/3) of its replacement value, it shall not be rebuilt; provided, however, that nothing herein shall prevent maintenance, repainting or posting of legally established nonconforming signs.

2. ADVERTISING SIGNS

- a. The face of an advertising sign shall not be greater than eighteen (18) feet in vertical dimension nor greater than fifty-five (55) feet in horizontal dimension, except as provided in c. below, and shall not contain more than two (2) advertising signs per facing.
- b. One advertising sign structure shall be permitted on a lot having a minimum frontage of five hundred (500) feet; provided, however, that:
 - (1) no dwelling unit (other than the principal home-
stead) is within one thousand (1000) feet of the sign structure, and provided further that if a dwelling structure is subsequently erected within one thousand (1000) feet of said sign structure such sign structure shall be removed within thirty (30) days after the start of construction of the dwelling;
 - (2) the full face of the sign can be viewed along the line of travel to which it is exposed for a distance of at least five hundred (500) feet along the centerline of the frontage street measured from a point opposite the center of the sign and perpendicular to the street's centerline, provided, however:

- (a) in the case of a sign parallel (or within twenty (20) degrees of parallel) to a one-way street, the required viewing distance shall be at least eight hundred (800) feet;
- (b) in the case of a sign which is from three (3) to twenty (20) degrees of parallel to a two-way street, the required viewing distance shall be at least eight hundred (800) feet;
- (c) in the case of a sign parallel (or within three (3) degrees of parallel) to a two-way street, the required viewing distance shall be at least five hundred (500) feet in each direction; (in the case of a sign so placed that it can be viewed from more than one street, the above viewing distance requirements shall be applicable to only one street.)
- (3) if a sign is erected in conformance with this ordinance and subsequently the view of the full face of the sign at any point described in (2) above is materially obstructed, said sign shall be considered no longer functional and shall be removed or relocated in accordance with section B.1, p. (An obstruction shall be deemed to be of a material character when it renders the essential elements of the sign unreadable.)
- c. The vertical dimension of the sign face may be increased to twenty-two (22) feet provided:
 - (1) the required viewing distance in b. (2) above is increased to one thousand (1000) feet;
 - (2) said facing contains only one sign; and
 - (3) the sign is perpendicular or within fifteen (15) degrees of being perpendicular to the frontage street.
- d. The maximum height of advertising signs erected upon the ground shall not exceed forty (40) feet above grade level at the base of such structure, or as permitted in section B.1, n.
- e. Flashing, intermittent or rotating signs shall be permitted, subject to the provisions of section B.2, b.

- f. Projecting signs shall be permitted, subject to the provisions of section B.2,b. and provided the total surface area shall not exceed two hundred forty (240) square feet per side.

3. BUSINESS SIGNS

- a. One business sign structure, with no more than one sign per facing, shall be permitted on a lot having a minimum frontage of five hundred (500) feet; provided, however, that:

no dwelling unit (other than the principal home-
stead) is within one thousand (1000) feet of the
sign structure, and provided further, that:

- (1) If a dwelling structure is subsequently erected within one thousand (1000) feet of said sign structure, such sign structure shall be removed within thirty (30) days after the start of construction of the dwelling structure.
- (2) The sign surface area shall not exceed an amount equal to five per cent (5%) of the building facade or other architectural elevation to which the sign is oriented, or three hundred (300) square feet, whichever is the lesser.
- (3) The maximum height shall not exceed forty (40) feet above grade level at the base of the structure or as permitted in section B.1,n.
- (4) Flashing, intermittent or rotating signs shall be permitted, subject to the provisions of (1) above.

4. INCIDENTAL SIGNS

- a. One incidental sign, indicating only the name, occupation, or address of the occupant, shall be permitted for each dwelling unit for each street frontage. Such sign shall not exceed one (1) square foot in surface area.
- b. For multiple-family dwellings, one incidental sign not exceeding thirty-two (32) square feet in surface area shall be permitted for each street frontage. Said sign shall indicate only the name and/or address of the building or use, the name and address of the management thereof, or associated information.
- c. Real estate and trespassing signs shall be permitted as incidental signs, provided there shall be only one sign, not exceeding nine (9) square feet in surface area, for each lot street frontage.

- d. Incidental signs shall be set back a minimum of fifteen (15) feet from the street right-of-way line. Provided, however, if the building setback line established for the lot is less than fifteen (15) feet, incidental signs may be set back in accordance with such established building setback line.
- e. Incidental signs accessory to parking areas shall be permitted, subject to the following:
 - (1) Directional signs for traffic, pedestrian or other control designating entrances or exits to or from a parking area, and limited to one sign for each such entrance and exit, shall be permitted. Said signs shall not exceed two (2) square feet in surface area per sign.
 - (2) One sign, of maximum surface area of sixteen (16) square feet, announcing a parking area, shall be permitted for each street frontage of such parking area. Said sign may include the name of the owner and/or name of the establishment for which it is provided.
 - (3) Signs accessory to parking areas shall be set back a minimum of two (2) feet from any lot line unless attached flat to a building wall.

C. DEFINITIONS

1. ADVERTISING SIGN A sign which directs attention to any business, product, activity, or service; provided, however, that such sign shall not be related or make reference to the primary use, business, activity or service conducted on the premises.
2. BUSINESS SIGN A sign which identifies a building or directs attention to a business, product, activity or service manufactured, sold, or offered upon the premises as the primary use(s) where such sign is located.
3. FACING The surface of the sign upon, against or through which the message of the sign is exhibited.
4. PROJECTING SIGN A sign suspended from or supported by a building, structure, or column and projecting out therefrom more than eighteen (18) inches.
5. SIGN Any outdoor announcement, declaration, device, demonstration, or insignia used for direction, information, identification or to advertise or promote any business, produce, activity, services or interests.
6. SIGN STRUCTURE The supports, uprights, bracing and framework for the sign. In the case of a sign structure consisting of two or more sides, where the angle formed between any of the sides (or the projection thereof) exceeds fifteen (15) degrees, each side shall be considered a separate sign structure.
7. SIGN SURFACE The entire area within a single, continuous perimeter enclosing all elements of the sign which form an integral part of the display.

II. SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such hold or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Beurt R. SerVaas

William K. Byrum

Rozell C. Boyd

William A. Brown

THE MARION COUNTY COUNCIL

OF

MARION COUNTY, INDIANA

DATED July 2, 1968

ATTEST John T. Sutton

AUDITOR OF MARION COUNTY, INDIANA